



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
)
VENKITAKRISHNAN, Padmanabha)
)
Serial No. 09/920,382)
)
Filing Date: July 31, 2001)
)
For: METHOD FOR DERIVING A)
BENCHMARK PROGRAM)
FOR ESTIMATING THE)
MAXIMUM POWER)
CONSUMED IN A)
MICROPROCESSOR)
_____)

Examiner: GUILL, Russell L.
Art Unit: 2123

TERMINAL DISCLAIMER TO OBVIATE
DOUBLE PATENTING REJECTION (37 CFR § 1.321(c))

Hon. Assistant Commissioner for Patents
P.O. Box No. 1450
Alexandria, VA 22313-1450

Sir:

1. Name of Assignee: Hewlett-Packard Co.
Address of Assignee: P.O. Box No. 272400
Fort Collins, Colorado 80527-2400

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2. The Assignee certifies to the best of Assignee's knowledge
and belief that Assignee has the entire right, title, and whole interest in and
to the above referenced patent application, and represents that the

U.S. Serial No. 09/920,382
Docket No. 10008005-1

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EXAMINER: R.L. Guill
ART UNIT: 2123

undersigned is authorized to sign on behalf of the above-referenced Assignee.

3. On information and belief, a copy of an assignment or other documents that evidences placement of title of the above-referenced Application in the Assignee is recorded with the United States Patent and Trademark Office at:

Reel: 014061

Frame: 0492

Recorded on: September 30, 2003.

A certificate under 37 CFR 3.73(b) is filed herewith regarding the above and establishing the right of the Assignee to take action in the above referenced patent application.

4. Disclaimer

The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shorted by any terminal disclaimer, of the prior United States Patent No. 6,513,145 forming the basis of the double patenting rejection is hereby disclaimed except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be

the same as the legal title to prior United States Patent No. 6.513,145; this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior United States Patent No. 6.513,145 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued in any matter or is terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.


5. Fee Payment.

Payment is enclosed. Authorization is given to take any additional fee payment due under 37 CFR §1.20(d) from Deposit Account No. 08-2025. The attorney of record is empowered to sign on behalf of Assignee.

6. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

WAGNER, MURABITO & HAO LLP

Dated: 7/20/05, 2005 

John P. Wagner
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